



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
01w 01-05

KENNETH D'ALESSANDRO
SIERRA PATENT GROUP
P.O. BOX 6149
STATELINE NV 89449

COPY MAILED

JAN 04 2005

OFFICE OF PETITIONS

In re Application of :
Randall R. Stewart :
Application No. 09/734,783 : DECISION GRANTING PETITION
Filed: 11 December, 2000 :
Attorney Docket No. CISCO-3358 :

This is a decision on the petition filed on 27 September, 2004, requesting that the above-identified application be accorded a filing date of 11 December, 2000.

The petition is granted.

On 11 December, 2000, the application was filed.

On 30 January, 2001, Initial Patent Examination Division mailed a Notice to File Missing Parts of Nonprovisional Application, requiring the statutory basic filing fee, additional claim fee(s), an executed oath or declaration, and substitute drawings.

In response, on 22 February, 2001, petitioner submitted the required fees and an executed declaration. Accordingly, on 28 February, 2001, Initial Patent Examination Division mailed a Notice to File Corrected Application papers stating that substitute drawings were required. In response, on 28 March, 2001, a letter was filed stating that the substitute drawings were attached.

Petitioner asserts that the filing date was incorrectly changed to 22 February, 2001, and request the 11 December, 2000, filing date.

A review of Office PALM records reveals that the application was accorded a filing date of 22 February, 2001, due to Office error. The filing date will be corrected to 11 December, 2000, the date that a specification, claim, and drawings were received in the Office.

It is noted that two (2) sheets of substitute drawings are not located among the papers received on 28 March, 2001. Petitioner must submit a copy of the drawings filed in response to the Notice mailed on 28 March, 2001, along with evidence of timely filing thereof.

In view of the above, the petition is granted. No petition fee is due. The petition fee of \$130.00 will be credited to counsel's deposit account, No. 50-0612.

The application file is being referred to the Office of Initial Patent Examination for correction of the filing date to 11 December, 2000, and issuance of a corrected filing receipt. Thereafter, the application will be referred to Technology Center Art Unit 2664 for further processing.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions